

From the Japan Patent Office
(INTERNATIONAL SEARCHING AUTHORITY)

To:

Hisakazu UEKI

Address:

530-0003
Fujita Toyobo Building 9th Floor
1-16 Dojima 2-chome, Kita-ku
Osaka-shi, Osaka-fu

PCT

NOTIFICATION OF TRANSMITTAL OF THE
INTERNATIONAL SEARCH REPORT AND
WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY,
OR DECISION NOT TO ESTABLISH
INTERNATIONAL SEARCH REPORT
(Article 41 of the Regulations under the Law)
(PCT Rule 44.1)

Date of mailing (day/month/year)
21 June 2005

Applicant's or agent's file reference
F05-011PCT

FOR FURTHER ACTION
See paragraph 1 and 4 below

International application No.
PCT/JP2005/004392

International filing date (day/month/year)
08 March 2005

Applicant
Japan Gore-Tex Corporation

1. The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and description under PCT Article 19:

The applicant can amend the claims of the international application (see PCT Rule 46).

When: The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where: Directly to: International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. The applicant is hereby notified that an international search report will not be established and that the decision, under Article 8.2 of the Law (PCT Article 17(2)(a)), not to establish an international search report and the written opinion of the International Searching Authority are transmitted herewith.

3. With regard to the filing of objections against payment of (an) additional fee(s) under Article 44 of the Regulations under the Law (PCT Rule 40.2), the applicant is notified that:

- the objection together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward both the objection and the decision thereon to the designated offices.
- no decision has been made yet on the objection; the applicant will be notified as soon as a decision is made.

4. **Further action: Reminders**

Shortly after the expiration of 18 months from the priority date, the international application will be published internationally by the International Bureau. If the applicant wishes to postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau before the completion of the technical preparations for international publication, as provided in PCT Rules 90/2.1 and 90/2.3 respectively.

In respects to some designated offices, if the applicant wishes to postpone entry into the national phase until 30 months from the priority date (even later in some offices), a request for international preliminary examination must be filed within 19 months from the priority date; otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated offices.

In respect of the other designated offices, the time limit of 30 months (or later) will apply even if no request is filed within 19 months.

See the Attachment to Form PCT/IB/301. For details about the applicable time limits particular to each designated office, see the *PCT Applicant's Guide*, Volume II, National Phases and the WIPO Internet site.

Name and mailing address	Authorized officer	2C	9305
Japanese Patent Office (ISA/JP) Postal code: 100-8915 4-3 Kasumigaseki 3-chome Chiyoda-ku, Tokyo	Patent Office Administrator Telephone No.: 03-3581-1101 Ext. 3221		

ATTENTION:

1. Please take note of the time period in which amendments can be submitted to the International Bureau according to Treaty Article 19(1) and Rule 46.1, as reckoned from the date on which the international search report was issued.
2. Please be aware of the time period stipulated under Treaty Article 22(2)
3. Requesting of copies of documents:

For copies of documents that are recorded in the International Search Report:

Copies of these cited documents can be requested from the Patent Office; however, the National Center for Industrial Property Rights and Training (located on the second floor of the Patent Office Building) is where gazettes can be browsed or copied and documents other than published gazettes can be copied.

(Contact details and reference desks)

100-0013

National Center for Industrial Property Rights Information and Training
(Patent Office Building, second floor)
4-3 Kasumigaseki 3-chome,
Chiyoda-ku, Tokyo

[Gazettes]

Browsing

TEL. 03-3581-1101 Ext. 3811-2

[Other publications]

Documentation

TEL. 03-3581-1101 Ext. 3831-3

Such activities are also handled by the Japan Patent Information Organization (JAPIO). Please be aware of the following when requesting copies of cited references:

(Documentation requests)

- (1) For patent (utility model and industrial design) gazettes, please specify the following:
 - Kind of patent utility model or industrial design
 - Year and number (alternatively: patent number or registration number) of Kokai or Kokoku application
 - Quantity needed
- (2) For documents other than gazettes, please be aware of the following:
 - A copy of the International Preliminary Examination Report must be attached (the copy will be returned).

(Reference and documentation request desk)

135-0016

Administrative Section
Information Processing Department
JAPIO
Sato Building, 4-1-7 Toyo
Koto-ku, Tokyo 135-0016
TEL. 03-3508-2313

Note: The period over which copies of documents can be requested from the Patent Office is seven years after the international application date.

NOTES REGARDING FORM PCT/ISA/220

These notes are intended to give the basic instructions concerning the filing of amendments under PCT Article 19. These notes are based on the stipulations of the Patent Cooperation Treaty and the Administrative Instructions and Rules under the Treaty. In the event of any discrepancy between these notes and those requirements, the latter shall apply. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER PCT ARTICLE 19

After having received the international search report and the written opinion of the International Searching Authority, the applicant has one opportunity to amend the claims of the international application. It should, however, be emphasized that, since all parts of the international application (claims, specification, and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under PCT Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some states only (see *PCT Applicant's Guide*, Annexes B1 and B2).

Parts of the international application that may be amended

Under PCT Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) in the International Preliminary Examination procedure under PCT Article 34. The specification and drawings may only be amended in the International Preliminary Examination procedure under PCT Article 34.

Upon entry into the national phase, all parts of the international application may be amended according PCT Article 28 (or Article 41).

When Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (PCT Rule 46.1).

Where to file the amendments

The amendments may only be filed with the International Bureau and not with the Receiving Office or the International Searching Authority (PCT Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How Either by canceling one or more claims, by adding one or more new claims, or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on the replacement sheet must be numbered in Arabic numerals. In the event that a claim is cancelled, renumbering of the other claims is not required. In the case that the claims are renumbered, they must be renumbered consecutively (PCT Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

Documents that must accompany the amendments

Letter (PCT Administrative Instructions, Section 205(b)):

A letter must be attached to the amendments.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under PCT Article 19(1)" (see below, under "Statement under PCT Article 19(1)").

The letter must be in English or French. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is an addition;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

NOTES TO FORM PCT/ISA/220 (continued)

The following examples illustrate the manner in which amendments must be described in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
“Claims 1 to 29, 31, 32, 34, 35, and 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added.”
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
“Claims 1 to 15 replaced by amended claims 1 to 11.”
3. [Where originally there were 14 claims and the amendments consist in canceling some claims and in adding new claims]:
“Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added” or
“Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged.”
4. [Where a variety of amendments are made]:
“Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added.”

“Statement under PCT Article 19(1)” (PCT Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the specification and the drawings (the specification and drawings cannot be amended under PCT Article 19(1)).

The statement will be published with the international application and the amended claims.

The statement must be established in the language in which the international application is to be published.

The statement must be brief, not exceeding 500 words if in English or if translated into English.

The statement should not be confused with the letter indicating the differences between the claims as filed and as amended. The statement cannot replace the letter. The statement must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words “Statement under PCT Article 19(1).”

The statement may not contain any disparaging comments relative to the international search report or the relevance of citations contained in the international search report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

If a demand for international preliminary examination has already been filed:

If a demand for international preliminary examination has already been submitted at the time of filing the amendments and the accompanying statement under PCT Article 19, the applicant should also preferably file a copy of such amendments (and of any statement) and, where required, a translation of such amendments with the International Preliminary Examining Authority at the same time of filing the amendments (and any statement) with the International Bureau (see PCT Rules 55.3(a) and 62.2, first sentence). For further information, see the notes regarding the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will be considered to be a written opinion of the International Preliminary Examining Authority, except in certain cases where the International Searching Authority that established the written opinion did not act as the International Preliminary Examining Authority. If a demand is made, the applicant may submit a reply [to the written opinion] together, where appropriate, with amendments to the International Preliminary Examining Authority before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (PCT Rule 43/2.1(c)).

Translation of the international application for entry into the national phase:

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under PCT Article 19 may have to be furnished to the designated/elected offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.